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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,806	02/25/2005	Raymond Puffer	12834-00008-US	1153

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EXAMINER

WATKINS III, WILLIAM P

ART UNIT	PAPER NUMBER
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1794

MAIL DATE	DELIVERY MODE
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05/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to Advisory Action

1. Applicant's amendment after final filed 9 May 2008 will be entered for purposes of appeal. The claims will remain rejected by the rejections given in sections 2, 4, and 6 of the detailed portion of the final office action mailed 19 November 2007.

2. Applicant's arguments filed 9 May 2008 have been considered but have not been found persuasive. In regard to the 112 written description requirement rejection, applicant argues that the specification clearly shows no means to tension the film after joining to the frame and that therefore a negative limitation of no means to tension the film after joining can be claimed. The examiner is of the position that there being no limitation of a means to tension after mounting being explicitly described in the specification, there is no basis to exclude such a means. *Ex parte Grasselli*, 231 USPQ 393 (Bd.App. 1983) aff'd mem., 738 F.2d 453 (Fed.Cir. 1984).

The examiner is also of the position that one of ordinary skill in the art looking at the specification as a whole would not say that it inherently suggested the exclusion of all possible post mounting tensioning means. Figure 4 shows film

that extends beyond the means to secure the film the frame. The specification at page 12, lines 26-29 states that this excess material may be removed. The process of removing such material might involve applying tension to it after mounting. Though it cannot be said that the instant inventors clearly had possession of the concept of post mounting tensioning at the time of the instant invention, neither can it be said that the instant specification as filed would lead one of ordinary skill in the art to not use post mounting tensioning of the film. *Ex parte Parks*, 30 USPQ2d 1234, 1236 (Bd. Pat. App. & Inter. 1993).

Even if the exclusion of the post mounting tensioning means limitation is found to be supported in the original specification, the examiner is of the position that the frame of Barringer et al. meets the instant claim language. The frame of Barringer et al. must be used with an apparatus to deflect part the film mounting means while joining the film in order to tension the film after mounting. The frame alone does not deflect and thus has no means to tension the film after mounting when used by itself. The disclosure of the frame itself with the associated adhesive means for attaching the film thus meets the instant claim limitations.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WW/ww

May 20, 2008

/William P. Watkins III/
Primary Examiner, Art Unit 1794